

MEMO ENDORSED

STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

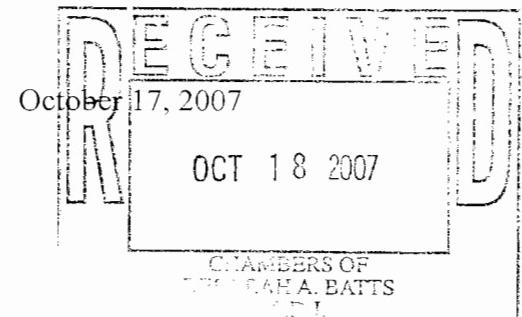
ANDREW M. CUOMO
Attorney General

Division of State Counsel
Litigation Bureau

(212) 416-6185

By Hand

The Honorable Deborah A. Batts
United States District Judge
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Room 2510
New York, New York 10007-1581



Re: Davidson v. Savage, 07 Civ. 7109 (DAB)

Dear Judge Batts:

MEMO ENDORSED

I am an Assistant Attorney General in the Office of Andrew M. Cuomo, Attorney General of the State of New York. My office represents the defendants in this Section 1983 action who have sought representation under Public Officers Law § 17.

Having been advised by Your Honor's Chambers that I should rephrase my earlier request for an extension pending the voluntary transfer of this matter to the Western District of New York, and after receiving the consent of plaintiff's counsel, Andrew Stoll, Esq., I am respectfully requesting that the time for defendants to answer or otherwise respond be extended to November 19, 2007 pending the submission of a stipulation regarding transfer and that deadline will not be dependent on where the action is venued at that time. I will be forwarding Mr. Stoll a revised stipulation that eliminates the language concerning a response date being based on when the action is transferred and a judge is assigned.

MEMO ENDORSED

Respectfully submitted,

Jeb Harben
Assistant Attorney General

cc: Andrew Stoll, Esq. (Via Facsimile (718) 852-3586)

Plaintiff to inform the Court and parties within 20 days of the date of this Order, of the status of his WDNY pro hac vice application.

SO ORDERED

Deborah A. Batts
DEBORAH A. BATT^s 10/19/07
UNITED STATES DISTRICT JUDGE